

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

JANET DEXTER
on behalf of herself and all
others similarly situated,

Plaintiff,

Case No. 20-cv-1441

v.

CARDINAL RIDGE RESIDENTIAL CARE, LLC

Defendant

PROPOSED ORDER

On May 12, 2021, the parties filed their Joint Motion for Preliminary Approval of Settlement and supporting documentation with this Court. (ECF Nos. 19 to 21.)

This Court GRANTS the parties' Joint Motion for Preliminary Settlement Approval, (ECF No. 19), and ORDERS the following:

1. The parties' Settlement Agreement, (ECF No. 19-1), is a fair, reasonable, and adequate resolution of a bona fide dispute under the FLSA and the WWPCL;
2. For settlement purposes only, this case is certified as a class action under Federal Rule of Civil Procedure 23;
3. For settlement purposes only, this case is certified as a collective action pursuant to the FLSA;
4. Plaintiff, Janet Dexter, is appointed as Class Representative;
5. Plaintiff's Counsel, Walcheske & Luzi, LLC, is appointed as Class Counsel pursuant to Federal Rule of Civil Procedure 23(g);
6. The parties' Notice Packet, attached as Exhibit A to the Settlement Agreement, (ECF No. 19-1), is approved for distribution to all Collective and Class members;

7. The Notice Packet to be sent to all Collective and Class members constitutes the best notice practicable under the circumstances, and constitutes valid, due, and sufficient notice to Collective and Class members in full compliance with the requirements of applicable law, including the Due Process clause of the United States Constitution;
8. Each Collective member who wishes to be included in the FLSA Collective must opt-in per the instructions set forth in the Notice Packet, and that their response must be postmarked within forty-five (45) days of mailing of the Notice Packet;
9. Any Collective member who has properly and timely opted-in to the FLSA Collective shall be bound by the Agreement when the Court issues a Final Order Approving Settlement;
10. Each Class member who wishes to be excluded from the WWPCL Class must opt-out per the instructions set forth in the Notice, and that their response must be postmarked within forty-five (45) days of mailing of the Notice Packet;
11. Any Class member who has not properly and timely requested exclusion from the WWPCL Class shall be bound by the Agreement when the Court issues a Final Order Approving Settlement;
12. A Fairness Hearing will be scheduled within approximately 90 to 120 days;
13. Any Motions, including but not limited to a Motion for Approval of Attorneys' Fees and Costs, a Motion for Approval of Named Plaintiff's Service Award, and a Joint Motion for Final Approval of Settlement, shall be filed with the Court no later than seven (7) days prior to the Fairness Hearing; and
14. Any Class Member or Collective Member who wishes to object in any way to the proposed Agreement must file and serve such written objections per the instructions set forth in the Notice Packet, which must be postmarked no later than forty-five (45) days after the mailing of the Notice Packet, together with copies of all papers in support of his or her position. The Notice Packet shall state that the Court will not consider objections of any Class Member or Collective Member who has not properly served copies of his or her objections on a timely basis.

Dated this _____ day of May, 2021

BY THE COURT

The Honorable William C. Griesbach
United States District Judge